



# MANAGEMENT PLAN

## Naval Base Shacks

RESERVE 24308



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## 1.0 PURPOSE OF THE MANAGEMENT PLAN

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This is the first Management Plan that has been prepared specifically for Reserve 24308 incorporating the use by the lessees of the Naval Base Shacks. It deals with two key elements - administration of the site and future management approaches.

The Management Plan has been prepared by the City of Cockburn, as the Management Authority, to guide and assist in the future management of the reserve. It also strategises how future improvements to the reserve will take place.

In preparing this Management Plan the City has given due consideration to the recommendations/findings made by the Standing Committee on Environment and Public Affairs. Further details of the findings are discussed in the Management Plan.

Preparation of this Management Plan has involved consultation with various stakeholders including the Naval Base Holiday Association, other Lessees and various departments within the City of Cockburn.

## 2.0 SITE DESCRIPTION AND HISTORY

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### 2.1 History of Reserve 24308

Anecdotal records from the City indicate that parts of the area, now represented by Reserves 24308 and 24309, were used as an informal camping ground as early as 1933. Historically, Reserves 24308 and 24309 were created and set aside for the purposes of public utility in 1955, following transfer of the land from the Commonwealth. The original vesting of Reserves 24308 and 24309 to the Cockburn Roads Board was approved by the Executive Council and granted on 10 July 1957 for the purposes of recreation and camping. The Vesting Order for Reserve 24309 contained the power to lease. The Executive Council also designated Reserves 24308 and 24309 as A Class reserves at the same time.

Original structures placed on the land consisted of caravans with annexes. Over time the structures have become more permanent in nature and no longer represent a caravan with a soft or rigid annexe.

The site was originally managed as a Caravan Park, with a register of City of Cockburn residents being allocated a site each time a lessee surrendered their lease. It has now evolved into exclusive holiday accommodation with the sites and structures being sold on the open market and the number of City of Cockburn Ratepayers reducing to less than 30% of the 176 lessees.

### 2.2 Current Tenure of the Land

Part 4 of the Land Administration Act 1997 provides the legislative basis for the creation, management, amendment and cancellation of reserves of Crown land. A reserve represents Crown land which has been set aside or dedicated for a particular purpose in the public interest. There are hundreds of reserve purposes utilised across the State, recognising the diverse role and function which reserves have to

perform in the public interest. The purpose of Reserve 24308 is 'Recreation and Camping'.

In terms of management, once a reserve is created it is placed under the care, control and management of a State Government department, Local Government or incorporated community group by way of a Management Order registered against the relevant parcel of Crown land and endorsed on the Certificate of Land Tenure. In terms of Reserve 24308, a Management Order exists with the City which includes a power to lease for up to 21 years. The Management Order does however limit use to being consistent with the reserve purpose ('Recreation and Camping'), with all leases subject to the Minister for Lands approval.

In addition to the reserve purpose and Management Order requirements, Reserve 24308 is classified as an A Class reserve which affords the greatest degree of protection under the Land Administration Act 1997. In terms of historical appreciation, the Land Act 1933 provided for reserves of Crown land to be classified as Class A, B or C reserves. This approach was extinguished under the Land Administration Act 1997, with a new approach in the form of classifying all reserves as one and the same - but keeping the notion of A Class reserves which would continue to be classified separately representing the greatest level of importance and a need for high level protection. Any proposal to undertake a major amendment to an A Class reserve, including modifying a reserve purpose, can only take place by tabling the proposal in both Houses of Parliament in accordance with Section 43 of the Land Administration Act 1997.

On 29 April 1999 the then Minister for Lands (Hon Doug Shave MLA) advised the City that the “leases are only an interim measure, which the State has accepted, to recognise the existence of the shacks until such time as the situation is rectified”. In further correspondence dated 26 April 2001, it was stated that the then Department of Land Administration “would prefer a policy that allowed for replacement of existing structures, rather than one that encouraged expansion or major development. This would ensure that lessees were under no misapprehension that their tenure is both short term and finite.”

During extensive negotiations with the State Government; consideration of wide ranging options by the Council of the City of Cockburn and; wide ranging dialogue with lessees, the City has secured support with the State Government for the use of the reserve for shacks to continue. This is consistent with the reserve purpose, and the power to lease which formalises the leasing arrangements of the site.

### 2.3 The Site

Reserve 24308 is a Class “A” reserve and is Crown Land by virtue of Crown Land Title LR3107-425. The City of Cockburn has a Management Order for the reserve for the purposes of ‘Recreation and Camping’. The land is located at 1136 (Lot 373) Cockburn Road, Henderson and consists of an area of 4.5468ha. The land currently has 176 ‘shacks’ located on it, with a variety in forms and design. Attachment 2 contains photographs of examples of the current shacks and Attachment 3 examples of potential designs for future shacks.

The site has a sound internal road system that permits the safe traffic of vehicles at a restricted speed, with adequately installed speed reduction devices (speed humps). The speed limit is not enforceable at any legislative level, as it is not enshrined

within a City local law and the internal road system is not classified as a public road, exempting the application of the Road Traffic Act and associated Regulations. However the nature of the road system and its use by pedestrians provides natural controls in terms of driver speed and behaviour.

The reserve contains two ablution facilities, which were constructed by the City for use by shack owners and reserve patrons. The ablution and have mains electricity and a potable water supply. Figure 1 details the layout of the shacks on the Reserve at this time.

A potable water supply for shack owners is provided through the strategic location of water taps within the reserve, with connection via a hose. The shacks do not have access to other core utilities, such as mains electricity, reticulated gas or sewer. Most shacks have been fitted with bottled gas and generate their own electricity supply through solar panels, small wind turbines and power inverters. There is little uniformity around such arrangements.

A commercially leased kiosk, located near the southern ablution facility, currently operates from the reserve and has connection to mains electricity.



Figure 1 - Reserve 24308





## **2.4 Reserve 24308 - Management Order**

The original Vesting Order for Reserve 24308 was issued to the Cockburn Road Board in 1957. When the Reserve was created by the Executive Council, it was designated as a “Class A” reserve. The Vesting Order was then transferred into the name of the City of Cockburn in 1960 when the Local Government Act 1960 was enacted. In 1997 when the Land Administration Act 1997 was proclaimed, Vesting Orders were renamed to Management Orders. The Management Order as attached at Attachment 1 has the power to lease for 21 years.

## **2.5 Administering Legislation**

The City has investigated the legislation that is applicable to the land and the type of improvements thereon, in order to underpin the structure of leasing arrangements as well as to inform the preparation of this Management Plan. A brief explanation of the results of this investigation is provided following:

### **Caravan and Camping Grounds Act 1995**

The structures on the land do not represent the type of accommodation envisaged by the Caravan and Camping Grounds Act 1995, where the relevant accommodation must be capable of being attached to a vehicle (vehicle being a caravan).

### **Residential Parks (Long Stay Tenants) Act 2006**

This Act defines the meaning of a ‘long stay tenancy agreement’, which relates back to residential parks, the definition of which refers to Caravan Parks. The land cannot be considered to constitute a caravan park, ruling out the application of this Act.

### **Residential Tenancies Act 1987**

The Residential Tenancies Act (RTA) 1987 only applies to ‘residential tenancy agreements’. The Management Order requires that tenants are only allowed to ‘camp’ in the structures, and are not permitted to live in them on a permanent basis; therefore the RTA does not apply.

### **Property Law Act 1969 and Common Law**

The Property Law Act 1969 applies to all ‘leases’, but its application is subject to whether any other relevant legislation applies; which there is none. The term ‘lease’ is defined in broad terms to include any ‘tenancy’. Therefore the land is subject to the provisions of the Property Law Act 1969.

The Property Law Act 1969 has provided the framework in which to structure the new lease agreements for the land, which began formal operation in 2012.

### **Planning and Development Act 2005; Health Act 1911; Building Act 2011**

Use and development of the land, and specifically the control of use and development of the land, is representative of the relationship between the Planning and Development Act 2005; Health Act 1911 and; Building Act 2011. These commonly come into utilisation through the consideration of applications for planning approval; Building Permit applications; as well as inspections undertaken from an environmental health perspective.

### 3.0 Literature and Related Reports and Studies

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#### 3.1 Environment and Public Affairs Committee's Inquiry into Shack Sites in Western Australia

The City has been guided by the recent recommendations/findings made by the Environment and Public Affairs Committee's Inquiry into Shack Sites in Western Australia. The Committee finalised their report in April 2011 and below is an extract relevant to Naval Base Shacks. Naval Base features three specific findings of the Committee (Findings 49 to 51), but with no specific recommendations given.

The City was largely acknowledged as trying to further formalise the use of the site, particularly by way of improved leasing arrangements and controls around land use and development. In reflection of this, the preparation of a Management Plan for the site was a key finding made by the Environment and Public Affairs Committee.

The Committee noted the collaborative process which the City was working through in determining an appropriate shack standard and a new management approach. The Committee suggested the logical next step into a new management plan for the site would provide the further formalisation of activities undertaken on the site. This underpins the collective efforts the City has gone to in managing the site to an improved and sustainable standard.

The following extracts from the Committee Report are of note:

*10.44 A distinguishing difference between this site and other shack sites is that Naval Base is the only shack site located within metropolitan Perth. Also, unlike a number of other sites, the shacks are arranged in a reasonably ordered manner (compared to the ad hoc nature of other sites) on a heavily bituminised area.*

*10.45 The Committee note that the leasehold tenure at this site differs from sites such as Peaceful Bay and Dampier Archipelago. Although the City has renewed the shack leases annually, there is no obligation to do so and, under the terms of the lease, the lease may be cancelled with 14 days' notice. The Naval Base lease does not set building or health standards or provide for an increase in standards. Unlike other shack sites, the City has not established any management plan or strategy for the site. The Council provides basic facilities at the site.*

*10.47 The Committee accepts that there is social heritage at Naval Base, formed by people and families sharing the experience of staying at this site and enjoying the experiences this site offers.*

*10.49 If shacks are to remain, the City of Cockburn should develop a management plan which may incorporate short term holiday accommodation as an option for the public.*

*Finding 49: The Committee finds that the City of Cockburn manages 178 shacks at Naval Base. This reserve was vested in the City of Cockburn decades prior to the Squatter Policy. The shacks are leased for a period of one year. To date, the City of Cockburn has offered a lease each year.*

*Finding 50: The Committee finds that the City of Cockburn is currently undertaking a public consultation process to consider the future of Naval Base, including whether to remove the shacks and bring the vested reserve under the Caravan Parks and Camping Grounds Act 1995. The Council will consider the results of the public consultation and deliberate on this issue in due course.*

*Finding 51: The Committee finds that the City of Cockburn should continue to manage the process, including community consultation, they are presently undertaking to determine the future of Naval Base.*



### 3.2 Bush Forever status

Reserve 24308 is identified as Bush Forever site (Site No. 346), falling within the greater Lake Mt Brown, Brownman Swamp and Henderson Regional Open Space areas. It is noted that the subject area has been cleared and essentially very little native vegetation currently exists. Accordingly management of the site recognises the Bush Forever status of its surrounding context, as opposed to specific bush attributes on the site itself.

### 3.3 State Squatter Policy

In 2005 the Department of Regional Development and Lands developed a policy on the Illegal Occupation of Coastal Crown Land (Squatters). The objective of which was to control the establishment of any new unlawful dwellings (squatter shacks) on Coastal crown land and facilitate the removal of existing dwellings (shacks) over a six year period. The policy was developed on the basis of an earlier State Government policy on squatters adopted by Cabinet in July 1989 and January 1999.

The policy does not apply to this site however, on the basis of the formalisation of controls and legislative framework to which the site has progressively been brought under. Most notably the existence of a Management Order with power to lease, differentiates this site from the example that the State Squatter Policy has been targeting in terms of Unallocated Crown Land.



### 3.4 Kwinana Cumulative Risk Study - May 2008

The purpose of this Study was to examine the cumulative risks associated with new and proposed developments in the Kwinana Industrial Area (KIA) that change the risk profile in the area.

A Steering Committee was established in 2005 by the Department of Industry and Resources (DOIR), with representation from the Kwinana Industries Council (KIC) and relevant government agencies, to update the Kwinana Cumulative Risk Study (KCRS).

The Steering Committee's objectives<sup>1</sup> were to:

- i Conduct a review of current best practice in Land Use Safety Planning (LUSP) methodologies and how they may be applied in KIA, to ensure the approach taken was in line with current national and international practices;
- ii Develop an up to date cumulative risk model for the KIA, taking into account the changes in industry and surrounding land uses, improvements in Quantitative Risk Assessment (QRA) modelling and data sources;
- iii Develop an up to date cumulative individual risk contours (and societal risk data) for existing and predicted developments in the KIA to provide a framework for ongoing industrial developments and LUSP decision making in the area;
- iv Assess the developed risk data against current WA risk criteria;
- v Provide relevant training to industry and government agencies in the ongoing use and maintenance of the Kwinana Cumulative Risk Assessment model.

The key findings of the report were -

- (i) *'the current (2007) individual and societal risks to the surrounding community are consistent with the established criteria and do not pose such a significant risk as to require immediate changes to land uses in the area.'* And
- (ii) *'the future case (2030) indicates that the risks associated with the proposed expansions to the KIA are not inappropriate provided key land use conflicts (i.e. residential populations in the Hope Valley areas) are addressed before any expansion of the KIA into these areas.'*

There is concern that the KCRS Steering Committee may not have been fully aware of the shacks, their frequency of use, and possibly may have underestimated the potential risk to users of Reserve 24308. To evaluate the potential risk, an analysis of the risk contour maps developed as part of the Study need to be examined more thoroughly. These maps express the "Total Cumulative Individual Risk Results in a visual form for both current day (2007) and for future risk scenarios (2030).

The current day risk contour map, Figure 2, shows that there is some, but limited, potential for individual and societal risk due to the close proximity of the transport corridor (Cockburn Road) to the Reserve and the types of materials transported. From the small risk contours near Reserve 24308, it is evident there is a small amount of dangerous goods transported on Cockburn Road.

The future case (2030) risk contour map, Figure 3, in the context of Reserve 24308, shows a significant expansion of the risk profile, predominantly from the proposed outer harbour development, due a projected increase in the transportation of dangerous goods/product in the area.

<sup>1</sup> Kwinana Cumulative risk Study May 2008 – Non Technical Summary – DOIR, Page 5



Figure 2 - Current Day Risk Contour Map

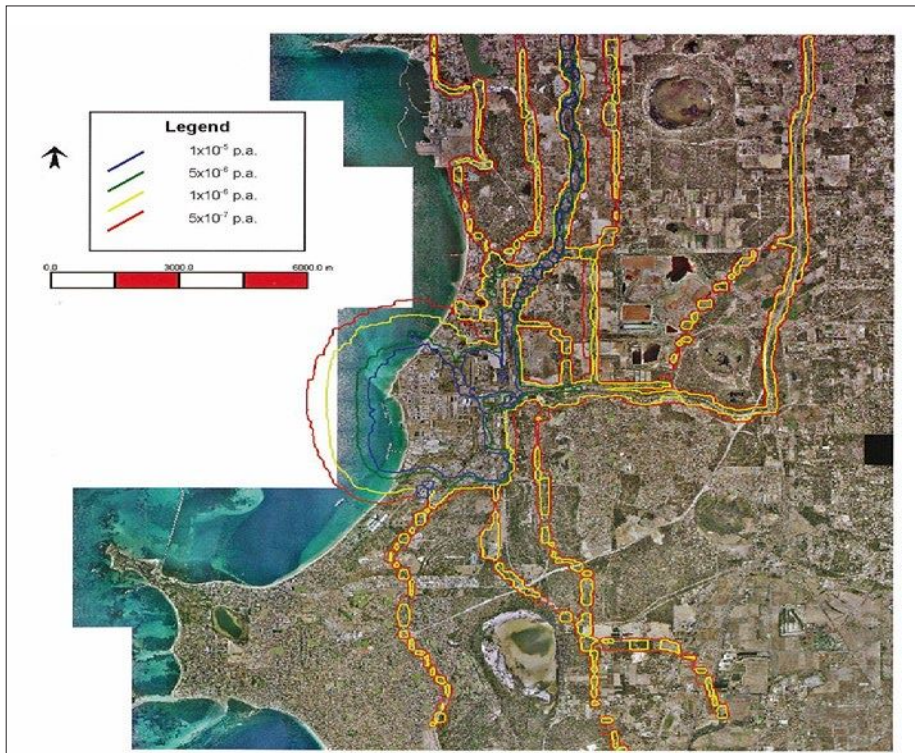
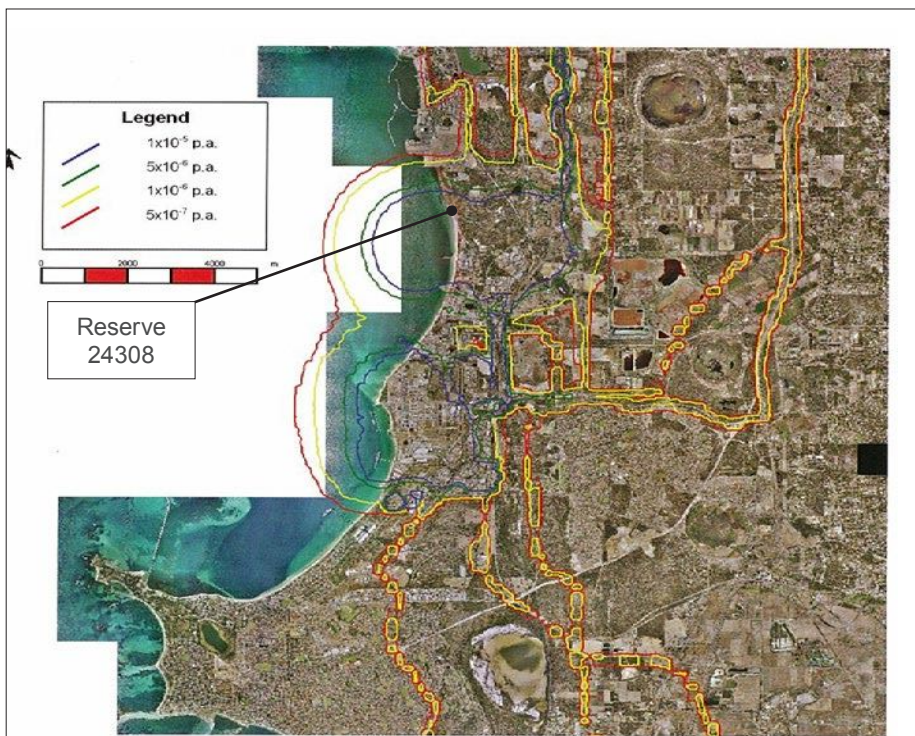


Figure 3 - Future Case Risk Contour Map



Key

- 1x10<sup>-5</sup> p.a. – Active Open Space Criteria (Recreational facilities)
- 5x10<sup>-6</sup> p.a. – Commercial Development Criteria
- 1x10<sup>-6</sup> p.a. – Residential Population Criteria
- 5x10<sup>-7</sup> p.a. – Sensitive Population Criteria (Aged Care or schools etc).

While there is no immediate impact from a risk management perspective on Reserve 24308 under the current day modelling, the future risk modelling does raise questions as to the level of potential risk for users of the Reserve for the next 20 years if industrial development continues according to projections.

To address this, the City wrote to the responsible State Government Departments requesting clarification as to the protection mechanisms that would be afforded to the site while it remained utilised by shacks. In response, confirmation was received from the Department of Mines and Petroleum regarding safety issues on the reserve. This importantly provides an accurate analysis of the obligation on industry to protect the shack owners, and that the reserve can feasibly remain into the future given its location and the nature of the nearby Alcoa alumina refinery. Various legislation applies to secure this. A copy of the letter is provided as **Attachment 4**. The letter quotes as follows:

“In relation to public risk from industrial facilities, the existing land use of Reserve 24308 is primarily protected under the Dangerous Goods Safety Act 2004 either via the Dangerous Goods Safety (Storage and Handling of Non-Explosives) Regulations 2007, or where a major hazard facility is concerned, via the Dangerous Goods Safety (Major Hazard Facilities) Regulations 2007. Specifically, any industrial facility near the reserve that is regulated under either of these regulations is obliged to minimize the risk to people, property and the environment to a level as low as is reasonable practicable.”

*“The Kwinana Alumina Refinery is a dangerous goods site regulated under the Dangerous Goods Safety (Storage and Handling of Non-Explosives) Regulations 2007. The refinery is not a major hazard facility and its operations do not pose a credible risk to occupants, other users or property at Reserve 24308. As such, the refinery does not, and will not adversely influence the continuation of either the current or any other compatible land use at the reserve.”*

### **3.5 Kwinana Quay Project - Fremantle Ports Outer Harbour Project Recommendation Report on Preferred Option - October 2006**

State planning and related reports have progressively been examining options, and refining plans since the 1940s for an expanded overflow port facility. Early planning work sought to strategically identify a broad port expansion site. At the strategic level, the State government has provided ongoing support for the planning and development of an expanded port facility in the metropolitan area.

This ongoing support is underpinned by data that shows Western Australia has developed an increased reliance on sea trade; with projections outlining the Inner Harbour at Fremantle Port will reach capacity by the end of the current decade. This projection is supported by the fact that the Inner Harbour at Fremantle is WA's only dedicated container port. Almost all of the State's container trade is shipped through the Inner Harbour. Container traffic has grown at an average annual rate of about 11% over the past decade. While most modes of trade have seen increases, the greatest growth has been in containers. The maximum capacity of the Inner Harbour is about three times its current level of trade, at about 1.2 million TEUs<sup>2</sup>. Taking trends in container

<sup>2</sup>TEU = twenty-foot equivalent unit. Container capacity is measured in twenty-foot equivalent units (TEU), a measure of containerised cargo capacity equal to one standard 20 ft (length) × 8 ft (width) × 8ft 6inch (height) container.



trade into account, it is predicted that the Inner Harbour will reach capacity by 2020.

Over the last few decades research has shown that the Naval Base/Kwinana locality is the optimal site for an expanded port facility. Cabinet confirmed this research in 1996 when a decision was made to:

*“...endorse Naval Base/ Kwinana as the future site for the development of additional port facilities to handle container and general cargo trade expansion beyond the capacity of the existing Fremantle Inner Harbour...”*

The Outer Harbour, now known as the Kwinana Quay Project, has been through a myriad of background planning documents to aide in the refinement of the most appropriate infrastructure development option. Four development options underwent a Strategic Assessment process, and were evaluated in a report dated December 2004 titled *“Recommendation Report on Preferred Option”*.

The preferred option selected was a refinement of Option 1 in the Report, and was arrived at after evaluating a triple bottom line multi criteria analysis, sensitivity studies, and input from the appointed steering committee, liaison groups, community consultation and the Technical Advisory Group.

**Figure 4** details the final revised development option in the Report.

Reference is made to the *“Recommendation Report on Preferred Option”*. The refinements to Option 1 included the incorporation of several improvements resulting from the community liaison group and community workshops. The refinement of most interest to the construction of this briefing paper is item 2, being:

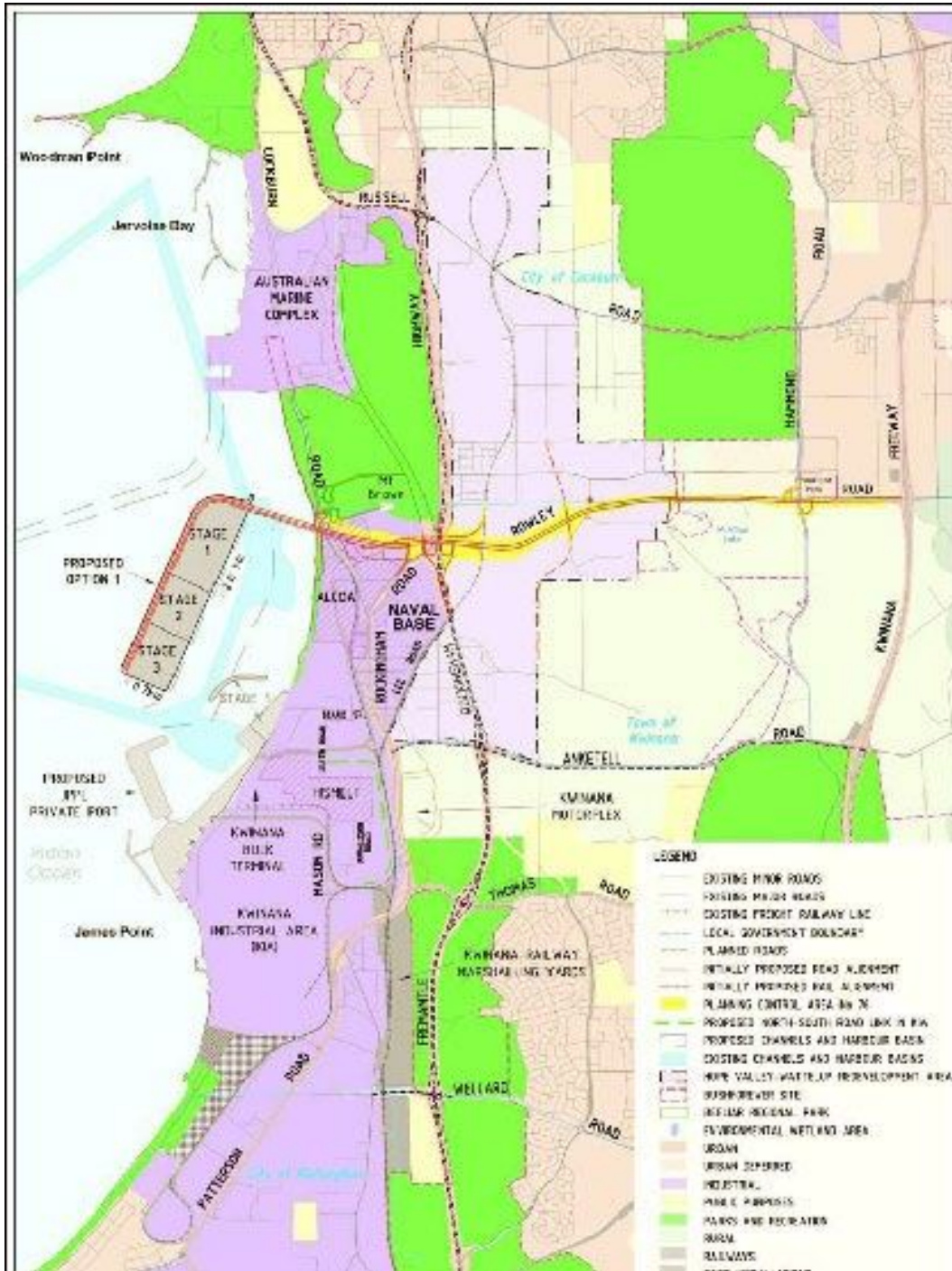
*‘...retention of access to Challenger beach, Naval Base Holiday Park and Beeliar Regional Park...’*

The Report identified that access to these important public recreational facilities were able to be preserved through -

*“...an improved rail and road corridor, the retention of the Alcoa rail spur line and the removal of the need to reclaim an area along the shore of Cockburn Sound to accommodate a realigned spur line...”*

From the information disclosed, the proposed Kwinana Quay project would seem to pose no immediate risk to the continued use of Reserve 24308.

Figure 4 - Kwinana Quay Revised Development Option.



### 3.6 James Point Private Port

James Point Pty Ltd (JPPL) is a privately owned company seeking to develop new port facilities at Kwinana. The port is proposed to be established in the waters off Beard Street, and will cater for general cargo purposes at this stage. Containerisation aspects, while proposed as a further aspect of the JPPL initiative, aren't approved or supported at this stage by the Government. The City is represented on the James Point Port Stakeholder Reference Group which is chaired by Dr Des Lord who is providing advice on the pre-construction program.



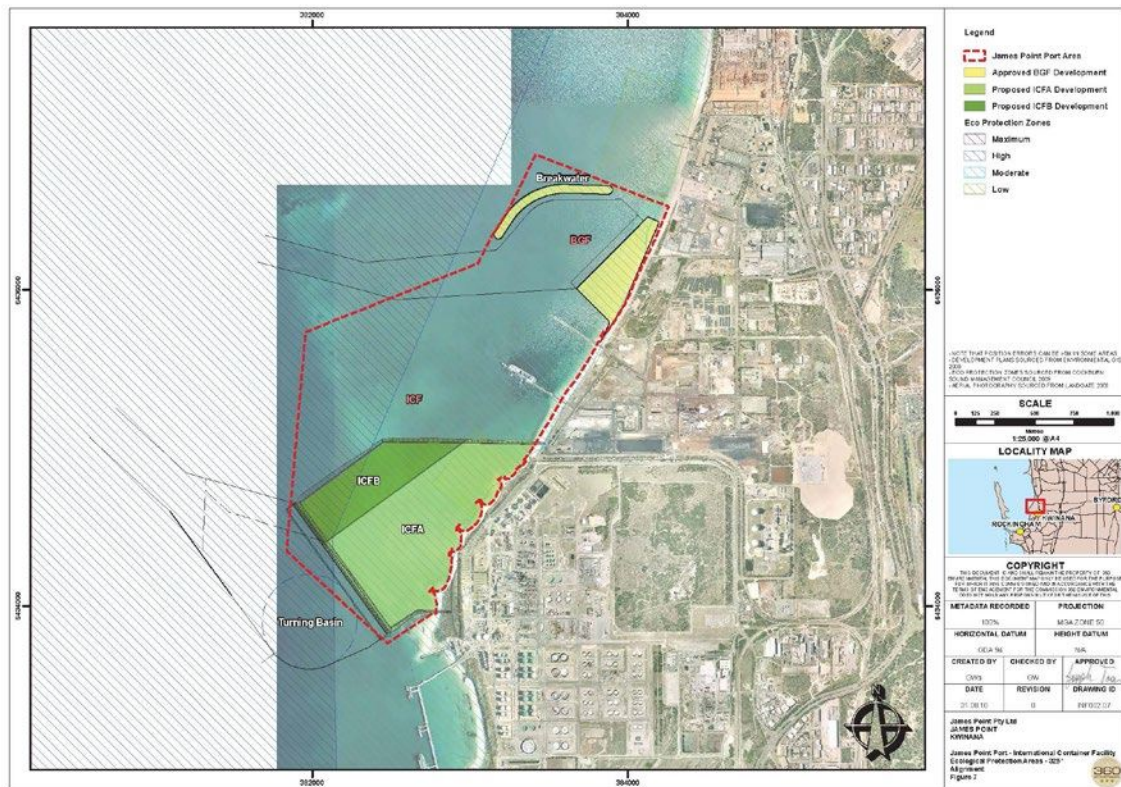
The items that are being considered are:

- environmental management plans
- dredging
- noise
- dust
- contamination
- formal public consultation

An indicative timing schedule is detailed below:

- July 2013: complete pre-construction program
- September 2013: commence construction of containment of area to be reclaimed
- May-September 2014: dredging
- October 2014 - June 2015: completion of facilities
- July 2015: first ship
- 18 DECEMBER 2013 ANNOUNCEMENT THAT PORT WILL NOT BE PROCEEDING

The City is of the opinion that the JPPL proposal will not impact on the Naval Base Reserve 24308.



### 3.7 City of Cockburn Local Government Inventory and Heritage Listing - Naval Base Caravan Park, Reserve 24308

The City of Cockburn has the ability to identify areas within its boundary as needing ‘special planning controls’ to conserve and enhance the cultural heritage and character of an area. This was recently undertaken in respect of Naval Base Holiday Park, following a concerted push from lessees and the public to ensure the heritage values of the place would be protected. The Heritage Area is accompanied by a Policy which provides guidance for those looking to develop their shack or any other structure in the Heritage Area. This policy seeks to ensure development protects and enhances the collective values which represent the Naval Base Heritage Area.

The Naval Base Heritage Area has a continuous history as a holiday destination since 1933, and has been used by generations of families from Cockburn and the wider area. It is significant as a good example of the holiday camps which used to exist along the Western Australian coastline but have disappeared in the face of development. Although individual shacks have changed since 1933, as a holiday destination the overall site has a high level of integrity and authenticity.

The Heritage Area Policy has the following requirements for shacks undergoing development:

1. Any extensions or modification to existing shacks need to meet the requirements of the Building Code of Australia;
2. Shacks should be of a small, modest scale with regards to their height and the size of the building footprint;
3. Shacks should be constructed of lightweight materials that are indicative of the informal 'holiday shack' character; and
4. Development of new shacks needs to be consistent with the overall site plan and be contained within the boundaries of their designated site area.

### **3.8 City of Cockburn Town Planning Scheme and Metropolitan Regional Scheme**

Clause 3.2 of the City's Town Planning Scheme refers -

#### **3.2 Regional Reserves**

*3.2.1 The land shown as "Regional Reserves" on the Scheme Map are lands reserved under the **Metropolitan Region Scheme** and are shown on the Scheme Map in order to comply with the Metropolitan Region Town Planning Scheme Act.*

*3.2.2 Regional Reserves are not reserved by this Scheme.*

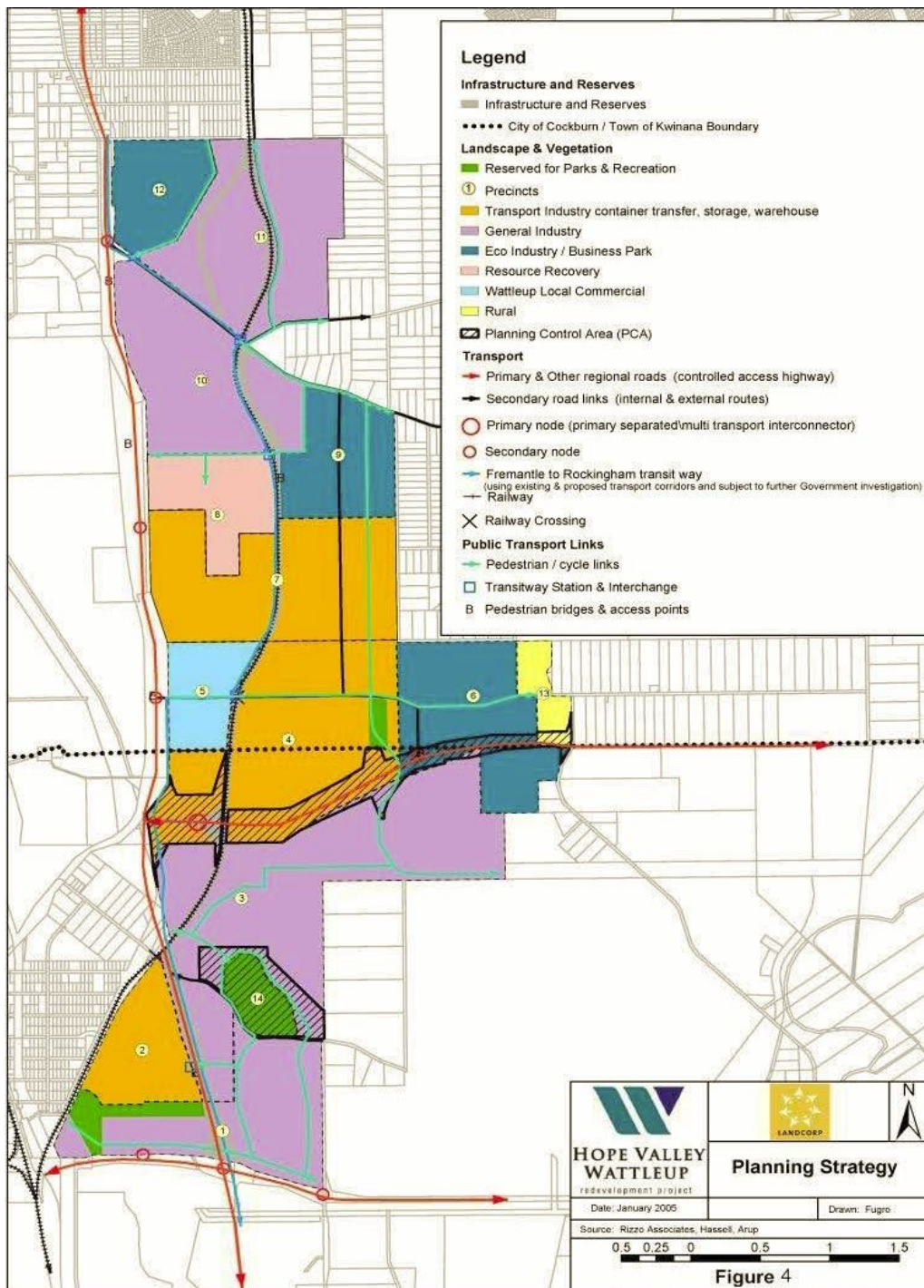
*3.2.3 The **approval** of the local government under the Scheme is **not required** for the commencement or carrying out of any use or development on a Regional Reserve.*

Reserve 24308 is classified as a 'Regional Reserve' under the Metropolitan Regional Scheme (MRS). Any development or use requires the completion of an MRS Form 1A and its submission to the WA Planning Commission (WAPC) for consideration and approval. The Form 1A is required to be signed by the relevant Regional Manager of the Department for Lands, on behalf of the State of WA, as owner of the land.



### 3.9 Kwinana Intermodal Terminal Figure 5 - Proposed Land Use

Reserve 24308 is outside the proposed land based terminal site. Therefore, based on the current preferred option, the proposed Kwinana Intermodal Terminal poses no risk to the continued use of Reserve 24308 for its purposes of Recreation and Camping.



### 3.10 Perth Coastal Planning Strategy

The continued use and management of the Reserve is consistent with the Perth Coastal Planning Strategy, by way of the application of the A class reservation of the land and its associated Management Order which provides for recreation and camping.

### 3.11 Geotechnical Investigation

#### Background / History

The City commissioned Golder Associates Pty Ltd in September 1990 to undertake a geotechnical investigation of the erosion occurring to the limestone cliff face along the Naval Base Caravan Park foreshore. The Report, dated 8 October 1990, highlighted that there was a serious unknown level of risk to the public as a result of:

*“...the collapse of a section of undercut cavity or the closing of such a cavity due to block rotation. Such collapse or rotation may occur without warning or prior dislodgement.”*

On 6 November 1990 the City resolved to engage a blasting contractor to remove the overhanging rock formation at the front of units 520 and 521. The owners of these units were advised that they would have to relocate them.

The City commissioned Golder Associates again in December 1990 to design the remedial blasting measures to stabilise the cliff face. The report on the design of the blasting and remedial measures was presented on 2 January 1991. The City however encountered a series of issues concerning the future use of the Reserve, which delayed the blasting works for several years. On 30 May 1997, the City again requested Golder Associates to provide an updated quotation on the required remedial works to the cliff face on Reserves 24308 and 24309. Detailed quotations were then sought from contractors to undertake the

works. The City authorised emergency expenditure up to \$140,000 on 15 October 1997, under s6.8 (1)(c) of the Local Government 1995, to complete the remedial works to the Reserves.

In June 2009 Consultant ATC Williams was appointed to carry out further investigations into subsurface conditions and stability, and potential cliff hazards. They found two shacks (514 and 515) needed relocation or cliff stabilisation works, as well as filling of cracks - these issues will be resolved as a part of this Management Plan.

A summary of the ATC Williams findings is as follows:

*“Beach Cliff Survey- In the areas with beach level access, undercutting of the limestone was observed. In the areas with intact limestone slopes, the undercutting was generally about 1 m high, with depths of 0.5 m to 2 m. The rock mass in these areas was competent however, and large scale rock failure is not considered likely. As noted in the Golder report, there are numerous limestone blocks lining the shore that have detached from the cliffs in the past. None appeared to be from recent events, and no signs of incipient slope failure were observed. Since issuance of the Golder report in 1997, fences have been placed along the crest of the beach slope, and ground cover vegetation has established along the beachfront slope crest. In several locations, gulying and/or open cracks long the cliff crest were noted, in one case partially masked by vegetation. Several cabins were within 1m to 2m of the beachfront cliff in the south-central portion of beachfront. As noted in the Golder report, beachfront cliff stabilization measures such as rock fill buttressing may be required in the future at these points. Several cabins were noted to have roof downspouts discharging toward the crest of the beachfront cliff, with the potential for*



*causing erosion and instability.*

*Site Survey - Generally the site was level, rising from beachfront to Cockburn Road to the east. Some hummocky ground was noted in the central part of the site, conforming to the underlying rock surface. No visible signs of ground subsidence, tension cracks or fissures were observed in the caravan park. Hand augured boreholes were advanced in 10 locations across the site. The boreholes revealed a thin layer of natural and/or fill sand overlying limestone. Generally the depth to limestone was in the range of 0.2 m to 0.5 m, increasing to over 1 m in the vicinity of Cockburn Road, although several surface outcrops of rock were observed along the eastern boundary of the site.*

*Ground Penetrating Radar Survey - GPR surveys were conducted along 3 north-south profiles (parallel to shore) and 4 east-west profiles. GPR confirmed that the site was largely comprised of a thin layer of soil over rock. GPR showed the hummocky, fissured nature of the underlying limestone surface. Hand augers at several locations where GPR indicated fissures revealed sand infill into the fissures, and no voids or related ground subsidence were observed.”*

In December 2009 a major void developed between Shack No's 540 and 541. These shacks are situated adjacent the cliff face and investigations revealed the likely cause of the void was stormwater leakage from a poorly constructed drainage pipe leaching sand out through the cliff face. The void was filled and the pipe repaired, however the incident demonstrated that the area is susceptible to the formation of voids that are not necessarily visible from the surface, nor necessarily identified from a typical grid pattern ground penetrating radar or borehole survey.

## **Actions Pertaining to Geotechnical Investigations**

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Regular (at least 3 yearly) geotechnical investigations of the site are now required, most particularly to investigate the cliff face stability and for the possible presence of voids within the strip up to 50 metres wide from the cliff face. The results of the investigations will determine specific treatments found to be required and these will be planned, budgeted for and undertaken as needed.

Separately, consideration needs to be given to a planned retreat from the cliff face of susceptible shacks, via the cessation of the leases in close proximity to the cliff face. It is a key recommendation of this Management Plan that a separate staging plan be developed in consultation with the affected shack lessees to identify a timeline whereby shacks will need to have been removed to a new location on the site.

## 4.0 ADMINISTRATION

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### 4.1 Inspections

Annual inspections of each shack will be carried out by an Environmental Health Officer. The purpose of the inspection is to ensure that shacks are being kept in acceptable condition and that unauthorised extensions or modifications have not been carried out.

### 4.2 Soakwells

Small circular concrete soakwells 600mm diameter with concrete lids may be installed to capture waste water from sinks. Soakwells must be installed within the lease holders leased area and must be protected from cars/truck by the use of bollards.

### 4.3 Making an Application for Planning Approval for Naval Base Shacks

#### Introduction

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In accordance with the requirements of the Metropolitan Region Scheme ("MRS"), Reserve 24308 is a regional reservation for 'Parks and Recreation' under the MRS.

Upon submission to the City of Cockburn, all applications for the development of land on Reserve 24308 are required to be referred to the Western Australian Planning Commission ("WAPC") for determination as per Clause 29(1)(a)(i) of the MRS and the Notice of Delegation under the *Planning and Development Act 2005*.

Please note that in almost every circumstance, all proposed development will require planning approval. This is a separate process to the building permit.

#### Submitting the Application

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Lessees need to submit the completed application to the City's Statutory Planning Division. Upon receiving the application, the Statutory Planning Division will forward it to the WAPC within 7 days. The City will then assess the application and provide a follow-up recommendation to the WAPC within 42 days of the original referral taking place, as per Clause 29(3) of the MRS.

#### How will the Application be Assessed

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The City's assessment and recommendation will be based upon the associated Local Planning Policy APD65 (Naval Base Holiday Park Heritage Area), the requirements of the lease and the requirements of the MRS.

#### What must be Submitted

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Application for planning approval must include:

- i. Completed MRS Form 1;
- ii. Planning fee applicable (see Schedule of Fees);
- iii. Three scaled (1:100 or 1:200) and accurate metric site plans which show the following:
  - a. The entire lease site and all buildings (existing and proposed), dimensions, areas and including a north point;
  - b. Relationship to all surrounding lease sites and all other infrastructure or services nearby (particularly fire infrastructure);
  - c. The location of different use areas within the existing and proposed building;
  - d. Landscape areas (grass only) shown within the lease site;
  - e. Parking areas shown within the lease site;
  - f. Elevations and cross-sections (where applicable);
  - g. The location of the water tap and soak well.





#### 4.4 Making an Application for Building Permit - Reserve 24308 (Naval Base Shacks)

##### Reserve Design Guidelines

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Prior to submitting a certified building permit application (BA1 Form) to the City's Building Services planning approval must have been received or the structure and associated works.

The below guidelines provide information for size and design of any proposed structure.

A holiday accommodation (shack) may be constructed on each lease site area. The accommodation may be an enclosed building and shall have an overall floor dimension of no greater than 5.2m x 5.2m, and a maximum height no greater than 2.7m (wall) and 3.0m (ridge).

Patio/pergola - A patio or pergola may be constructed on the east or west side of the shack. The patio or pergola shall be attached to the shack and be no greater than 1.8m wide. The patio or pergola must be open on three sides and not be longer than the shack it is attached to.

No building/structure will be permitted to be located closer than 1.8m to another building/structure on an adjacent site area, regardless of the maximum dimensions prescribed for a shack or patio or pergola.

Please note that planning approval and a building permit must be obtained before any development commences.

##### Process to obtain a Building Permit

---

The process below applies in respect of a Building Permit:

1. The completed Certified Building Permit Application Form is required to be executed by the Minister for Lands and Regional Development as the owner of the land. The City's Property and Lands Officer will arrange for this when the application is submitted to the City.
2. An applicant **MUST** have a valid Planning/Development Approval for the proposed works. Please refer to the other guideline explaining the process for obtaining planning/development approval.
3. An applicant **MUST** obtain a Certificate of Design Compliance from a registered independent building surveyor. The Certificate of Design Compliance confirms that if the building or works are carried out in accordance with the certified plans, the building works will be compliant with each building standard that applies to the building.

An applicant will need to have a registered consultant building surveyor carry out this process. Please note that this service is at commercial rates as negotiated with an independent building surveyor. The City of Cockburn cannot offer this service. A list of registered consultant building surveyors is available from the Building Commission website ([www.buildingcommission.wa.gov.au](http://www.buildingcommission.wa.gov.au)).

## **General Building Information - Site Overview**

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- The City of Cockburn is of the opinion the shacks are best compared to a Class 3 building for the purposes of the Building Code of Australia Volume 1 (BCA - Part A3);
- The applicable building standards are as defined in Specification A1.3 of BCA Volume 1;
- It is to be noted that the City's Health, Engineering and Planning requirements must all be met prior to the issuance of a Building Permit.

## **Litter Control**

---

It is the Authorised Persons (i.e. the builder or licensed contractor undertaking the building or demolition works) responsibility to take all appropriate measures to prevent litter escaping from the site for the duration of any building or demolition works. Burning of waste material and litter on site is not permitted.

## **Dust Control**

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It is the Authorised Persons responsibility to minimise windblown dust nuisance by suitable means during any building or demolition works.

## **Noise Control**

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All construction activities/works must be carried out between the hours of 7am to 7pm Monday to Saturday. No construction works are to be carried out on Sundays or public holidays.

## **Asbestos Products**

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If asbestos is being removed it is to be disposed of in accordance with the Health Asbestos Regulations 1992 and the Environmental Protection (Controlled Waste) Regulations 2001.

## **Maintenance**

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All works subject to an approval by the City are to be maintained in a satisfactory state of repair. Dilapidated building/structures may at the discretion of the City be required to be removed.

## **Nuisance**

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If any works approved by the City are found to be a nuisance to other Lessees for reasons that are determined to be valid by the City, the works may at the discretion of the City be required to be removed.

## **4.5 Making an Application for a Demolition Permit - Reserve 24308 (Naval Base Shacks)**

### **Development Approval**

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Prior to submitting a demolition permit application an applicant must have submitted a development application to the City's Statutory Planning Services for the demolition and obtained approval.

### **Process to obtain a Demolition Permit**

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The Demolition Permit Application Form (BA6) is required to be executed by the Minister for Lands and Regional Development as the owner of the land. The City's Property and Lands Officer will arrange for this when the application is submitted to the City.

An applicant **MUST** have a valid Planning/ Development Approval for the proposed demolition works. Please refer to the other guidelines explaining the process for obtaining planning/development approval.



## Definitions

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**“Building”** means building works that are not exempt works under the Building Act 2012 and associated Regulations.

**“Development”** means the development or use of any land, including any demolition, erection, construction, alteration of or addition to any building or structure on the land and carrying out on the land any excavation or other work and also includes any act or thing that -

- a. is likely to change the character of that place or the external appearance of any building; or
- b. would constitute an irreversible alteration of the fabric of any building.

## Other works

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Other works may be defined as works that do not fall within the definition of **building/development** work. Such work generally will not require development approval or a building permit. However, the City’s consent is required for **other works**, and a Form NBHA 1 must be submitted to the **Property and Lands Officer** (tel. 9411 3441) together with a detailed scope of work/specification for the proposed other works. Subject to the level of works the City’s Property and Lands Officer will advise the lessee if they will be required to submit any further applications. Some examples of other works are:

- Recladding of existing walls.
- Recladding of an existing roof.
- Replacing/repairing gutters/downpipes.
- Antenna (less than 1.8m above roofline if fixed to a roof)
- Repainting

## 4.6 Lease

Council resolved on 10 May 2012 to:

- (1) endorse a lease term of five years with an option for a further five year term at the absolute discretion of the City of Cockburn at the agreed lease fee of \$2,000 per annum with CPI increases annually. The lease fee includes rubbish collection charges, the emergency services levy and security services charges;
- (2) endorse a reduced demolition levy of \$300.00 per annum fixed for two years and, following the fixed term, the levy to be increased annually by CPI. Amend the Schedule to show the ‘Heading’ 8b;
- (3) endorse the amended Lease Agreement and Schedule in the Attachments reflecting points (1) and (2) above;
- (4) advertise the draft leases in accordance with Section 3.58 of the Local Government Act and if no objections are received proceed to endorse each of the leases. If an objection(s) are received then a report is to be prepared for the consideration of Council with the stated objections. The lease agreements to be signed by the Mayor and the Chief Executive Officer;
- (5) endorse the preparation of a Management Plan for Reserve 24308 which will include the following components for the future management of the Reserve:
  - a. The lease assignment process
  - b. Internal office procedures
  - c. Emergency management procedures
  - d. Site maps
  - e. Facilities management information
  - f. Detailed planning for infrastructure upgrades, including financial planning

to ensure infrastructure upgrade costs are met through the lease fee and associated reserve funds; and

- (6) advertise the draft lease in accordance with section 3.58 of the Local Government Act.

The new lease was finalised and commenced in August 2012. Key details include:

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### **Lease Fee**

The lease fee is an all-inclusive figure for leasing sites at the Naval Base Facility which is inclusive of lease, waste, emergency services and community surveillance. The lease fee will be increased by CPI each year

The funds raised by the lease fee are placed in the Naval Base Shacks Reserve. Any funds expended from this reserve are transferred in accordance with the Budget. All funds surplus are then quarantined so that they can be spent on upgrading the facility.

Funds collected from waste management, emergency services and community surveillance levies are remitted to the providers of these services as required by the Municipal Budget.

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### **Demolition Levy**

The introduction of the demolition levy in 2010/11 was to cover the City in the case where a shack had to be removed and the leaseholder either did not want to pay or could not pay for its removal. The City has agreed to quarantine these funds so that in the eventuality the shack is removed by the relevant leaseholder and at their cost, the leaseholder would receive the funds back plus interest. This was implemented so that the City would not have to resort to expensive civil litigation to recover any outstanding debt.

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### **Insurance**

The City currently has Public Liability Insurance for areas surrounding the shacks however this will not cover any incident which occurs within or as a result of a shack. It is not the City's responsibility to take out insurance for privately leased sites. Each Lessee is to take out and maintain cover for both Public Liability and Building insurance.

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### **Maintenance**

The Lessee agrees during the Term and for so long as the Lessee remains in possession or occupation of the Site to maintain, replace, repair, clean and keep the Site (which for the avoidance of doubt includes any building constructed on the Site) clean and in Good Repair.

The Lessee must comply with all reasonable conditions that may be imposed by the City from time to time in relation to the Lessee's maintenance of the Site.

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### **Cleaning**

The Lessee must at all times keep the Site clean, tidy, unobstructed and free from rubbish.

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### **Repair**

The Lessee must promptly repair at its own expense to the satisfaction of the City any damage to the Site, including damage of a structural nature, regardless of how it is caused.

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### **Pest control**

The Lessee must keep the Site free of any vermin or any other recognised pests and the cost of extermination will be borne by the Lessee.





## **Building Requirements**

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The Lessee must not without prior written consent –

- from the City;
- or from any other person from whom consent is required under this Lease; and
- required under statute in force from time to time, including but not limited to the planning approval of the Lessee under a local planning scheme of the Lessee and where applicable any Building/Demolition Permit as required under the Building Act 2011 and associated legislation;
- erect or remove any buildings, structures, alterations, additions or improvements on the Site; or
- remove any flora or fauna, alter or cut down any flora, or sell, remove or otherwise dispose of any flora, sand, gravel, timber or other materials from the Site or the Land.

## **Smoke Detectors and Gas Certificates**

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The Lessee must install a lithium ion battery smoke detector or any other approved detector as specified in the relevant legislation in each shack.

The Lessee must also provide to the City a gas safety certificate for any gas installation on the Site.

## **Short term accommodation only**

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The City is not supportive of Lessees using their shack for longer than 120 days in any year because of the closed proximity of the shacks to Kwinana which is the State's major heavy industrial area. Many of these industries are located in Kwinana because they are potentially dangerous and they could not be located anywhere else in/near Perth. The recommended (by EPA) buffer from residences to a typical heavy

industry is 1km to 5km. This is to provide protection to the residents by ensuring that any emissions are able to be diluted in the atmosphere before they reach the residential areas. It is also to provide some protection to these major industries of state and sometimes national significance so that they are not required to invest significant funds in excessive emission control and operational safety systems. The City's requirement is that the Shack is to be used for 120 days in any year no matter who is staying in the shack. The City introduced an Occupancy Log which is to be maintained by all Lessees. The log is to be made available for inspection by the City's representative at any time.

## **No Toilets or showers; kitchen sink only**

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The Lessee is not allowed to install a toilet or shower, or plumbing which will permit the installation of a toilet or shower.

The Lessee may install a kitchen sink. A semi-permanent hose connected to the external water tap (similar to caravans) is acceptable with the outlet tap located over a kitchen sink. The sink will discharge via a trapped waste pipe to a soakwell. The expectation is that when the Site is unoccupied the hose will be disconnected from the water supply.

The Lessee may with the Lessor's prior written approval install a portable toilet within the nominated site accommodation.

The Lessee may install, with the City's prior written consent, a single 600mm soakwell with a concrete lid upon the Site. The soakwell will be for kitchen grey water only. Any application must include an appropriate quality sketch depicting the proposed location of the soakwell. The soakwell must be protected from vehicular traffic due to its location, or the installation of bollards.

### **No generators**

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No generators are to be used on the site at any time unless the City has provided written consent.

### **Solar and Wind Power Sources**

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Solar and Wind Power sources maybe installed on the shacks with the consent of the City.

### **No subletting**

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The Lessee must not sublet, licence or part with possession of the Site whether for profit or not, without the City's and the Minister for Land's prior written consent.

### **No assignment or sub-letting without consent**

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The Lessee must not assign or sell the leasehold estate in the Site, or dispose of the Site or any part of the Site without the prior written consent of the City and the Minister for Lands' consent which may be withheld in their absolute discretion.

### **Option to renew**

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Whilst a five year option period has been included in the lease, it is at the Council's absolute discretion.

Minister for Lands may terminate upon notice

The Minister for Lands may terminate this Lease for any reason upon six months written notice to the Lessee and City.

No compensation or other consideration shall be payable to or claimable by the Lessee from the City for or arising out of the termination of this Lease by the Minister for Lands.

## **4.7 Administration of the site**

### **General Complaints**

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- Facilities not being maintained please contact the Property and Lands Officer by telephone on 08 9411 3441.
- Items being stored at the Reserve when a Lessee is not in attendance please contact Property and Lands Officer.
- The City's CoSafe will patrol the park on a regular basis they can be contacted during work hours on 9411 3444 or after hours on 1300 267 233.

### **Noise Complaints**

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- Noisy or anti-social behavior can be reported to CoSafe; however CoSafe is not able to take any action, they are only able to attend. Therefore it is preferred if the Police are contacted in the first instance on 131 444 or in an emergency 000.
- Due to the close proximity of the shacks noise level restrictions will be applied as per the Environmental Protection (Noise) Regulations 1997.
- The NBHA will provide Lessees with a copy of some neighbourly rules which apply to the park.

### **Rubbish Collection**

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The number of bins and waste collection days will be increased on some long weekends, Easter and Christmas due to the increase in number of Lessees at the park. The City will advise the NBHA in advance which days that the extra collections will take place.

### **Dumping of whitegoods and other rubbish.**

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If a witness is available the parties in question are to contact the Ranger Services on 08 9411 3444. The witness must be prepared to provide a statement and go to court if required.

The Rangers can instruct the offending parties to remove the items in question, and if they fail to do so then we can be prosecuted under the Litter Act provisions basing this on the statement provided by the witness at the time.

### **Cleaning of Facilities**

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The cleaning of both ablution blocks will be increased over the Easter and Christmas periods. The City will advise the Naval Base Holiday Association in advance of the arrangements for each period.

### **Phone Calls**

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The Property and Lands Officer can be contacted if a Lessee wishes to contact another Lessee. Phone number and addresses will not be provided but the City can act as the conduit to facilitate the contact if it is deemed a reasonable request.

Lessees can contact a member of the NBHA in person or via the email address (committee@navalbaseshacks.com).

### **Dispute Resolution**

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Disputes are generally better to be resolved by the Lessees themselves; if required the Police can be contacted on 131444 or in an emergency 000.

### **Dogs**

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- The Lessee must comply with the Dog Act 1976.
- All dogs are to be kept on a leash at all times.
- A maximum of two dogs per shack.
- The owner of any dog is required to remove dog faeces and dispose of them in a suitable, sanitary manner.
- Any complaints are to be reported to the City of Cockburn Rangers they are contactable on 9411 3444 or in an emergency after hours 1300 658 877.

### **Campers/Caravans/Boats/Trucks**

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Campers/tents or caravans will not be permitted on Reserve 24308. Boats and tents can be stored within Lessees lease area **only while the Lessee is staying at the Shack**. Under no circumstances are they to be stored on the Reserve. Please contact the Property and Lands Officer on 9411 3444 if there are any queries regarding this.

Reports of squatters/campers/caravans can be made direct to the City of Cockburn Rangers and on 9411 3444 or in an emergency after hours 1300 658 877.

### **Collecting Keys**

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Keys to the ablution blocks can be purchased from the City of Cockburn main office between the hours of 8.30am to 4.30pm. A log of lessees purchasing the keys will be maintained by the City of Cockburn.



## **Holding Events**

*Note any event is to be a closed event to Lessees only.*

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Events are required to deal with a variety of risk management issues, and accordingly sufficient time must be left to ensure all approvals are obtained prior to an event taking place.

The following matters are required to be finalised before the event and the NBHA advised of the outcome.

- Parking and traffic management arrangements.
- Permission is to be granted via all neighbouring Lessees and the NBHA.
- Letterbox drop to be completed by the Lessee/s intending to hold the event informing all other Lessees of the commencement time, number of people, finishing time.
- Extra bins are to be provided and rubbish removed from the site.

Any event shall have a maximum attendance of 20 people (including the Lessee/s), for events exceeding the limit of 20 attendees both NBHA support and the City's approval shall be required.

Due to the close proximity of the shacks noise level restrictions will be applied as per the Environmental Protection (Noise) Regulations 1997.

The Organiser of the event will be required to clean up after the event.

## **Community Infrastructure**

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Community Infrastructure on the site includes two ablution buildings, a laundry building, roads, drainage, water and electrical infrastructure, lighting, beach access steps, signage, rubbish bins, common grassed areas etc. The City manages the Community Infrastructure including provision, operating, maintenance and disposal.

The City's building Infrastructure team consists of Coordinators and trade related staff along with relevant contractors that manage and maintain the City's buildings and facilities and other infrastructure. Works are undertaken based on a planned capital works and maintenance program and regular servicing (e.g. cleaning). In addition inspection and treatments are undertaken in response to Customer Requests from and through the City's Property and Lands Officer. Staff and contractors are on call to respond should urgent works be required.

Requests for new infrastructure or requests or complaints concerning existing infrastructure should be directed to the City's Property and Lands officer.

## **Dune Management**

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The City does not undertake any dune maintenance activities in this area as the shoreline is quite rocky and dunes are not prevalent. The Perth Regional NRM Coastcare Facilitator undertakes some revegetation in conjunction with community members.

## **Fence Maintenance**

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The City carries out regular inspections of the site boundary fences and maintains and where necessary will replace fence sections as required.

## **Signage**

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The City is in the process of designing a style-guide that will incorporate standards and design for entry statements, street signs and localities along with Building Signage. It is the City's intent that once this signage guide is adopted that an entry statement and directional guide signage be designed and installed at the site. All existing facility and street signs will be reviewed over time and replaced where necessary in line with the style guide specifications adopted.

## **Lease Assignment Process**

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- The Lessee is permitted to advertise the sale/assignment of their lease privately.
- Potential purchasers can contact the Property and Lands Officer to obtain information in relation to the reserve.
- The current Lessee is to request the assignment paperwork - it will not be posted to potential purchasers.
- The City is not a party to the negotiations or sale process.
- The parties are to complete the request for assignment paperwork and forward the originals to the City.
- The request for assignment will not progress until all outstanding monies have been paid in full.
- Following confirmation of no outstanding monies, the City will forward the document to the Minister for Lands for consent and execution. (This process can take up to two months to complete.)
- An Assignment of Lease document will then be forwarded to both parties for their execution; this will include a copy of the original lease document. The City will request a copy of the insurance certificate to be provided by the new lessee at the same time. The City will not consent to the assignment of the Lease until a copy of the insurance has been sighted.
- The City will execute the Assignment of Lease document once the insurance has been sighted and then forward the lease to the Minister for Lands for execution.
- Once fully executed a colour copy of the document is to be forwarded to the new Lessee for their records.
- The Lessor will be advised that the transfer/assignment has been completed.

## **Emergency Management Procedures**

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In an Emergency telephone:

Fire Brigade, Police and Ambulance: 000

When the emergency number is dialled:

Advise your location; provide your name and telephone number and any other information requested by operator.

In a Non-Emergency telephone:

- Fire Brigade 1300 657 209

- Police 131 444

- Ambulance 131 233

City of Cockburn Contact Numbers:

- Business hours 9411 3444

- Rangers 9411 3444

- Co-Safe 1300 267 233

Emergency After Hours Assistance  
1300 658 877

## **Site Maps**

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Individual Site Maps have been completed for all sites and included in each Lease document. If any amendments to lease site areas are required the Property and Lands Officer will facilitate this by contacting the relevant lease holders. All of the abutting lease holders must agree to the amendments. Each lease holder has the right of refusal to any requests and this will be the binding determination.

For the purposes of constructing new shacks the boundaries of the lease areas may be required to be pegged by a Licensed Surveyor, this will be at the cost of the Lessee. The City is able to provide the necessary information to the Surveyor for the purposes of pegging the boundaries.

## 5.0 Detailed planning for infrastructure upgrades

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### General

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The City develops and maintains Long Term Financial Plans, 10 year capital works programs and annual (financial year) capital and operational works programs and budgets, drawing on Asset Management Plans and the Community Strategic Planning process. Major capital works are incorporated into the 10 year forward plans whilst minor works are identified and provided for in the annual budgeting process. Operational costs including for rubbish removal, cleaning of the facilities and utility costs are covered in the annual (FY) operating cost budget provisions. Specific investment areas are as detailed below.

### Roads

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The City will continue to review and maintain the condition of all roads within the site to meet with suitable road standards and will look to resurface the roadways within the site when the surfacing condition requires it.

### Drainage

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The City has identified that there are a number of drainage issues associated with the site. Suitable treatments will be investigated and implemented, with the highest priority being where the runoff from common property is impinging on lessee buildings or pedestrian access paths.

### Sewerage

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The site has common use ablution buildings which are currently served by septic systems and leach drains. These require periodic emptying. Currently consideration is being given to connecting the site to the Water Corporation's sewerage system at Henderson.

### Street Lighting

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The City is investigating the provision of additional lighting throughout the site, including increasing lighting to facilities and pathway / stairway entry points. The intent is that energy efficient lighting including LED and utilising solar power technology or alternative sustainable products will be employed where feasible.

### Beach Access

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The beach access points including stairway access, handrail suitability and disability access will be reviewed periodically with a view to progressively improving and maintaining the general accessibility for all beach users.

### BBQ and Picnic Points

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The City will investigate the provision of a BBQ and shelter in consultation with the NBHA.

### Mains Water Points

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The City will investigate the extension of the potable water supply throughout the site, including potentially to Lessees' sites subject to certain controls.

### Fire Hydrants

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The City will inspect and test the fire hydrants within the site and any hydrants found to be substandard will be replaced.



# ATTACHMENT 1 – MANAGEMENT ORDER

FORM LAA-1023

## DUPLICATE

SECTION 46

WESTERN AUSTRALIA  
LAND ADMINISTRATION ACT 1997 as amended  
TRANSFER OF LAND ACT 1893 as amended

### MANAGEMENT ORDER (XE)

#### RESERVE DESCRIPTION (NOTE 1)

RESERVE DESCRIPTION (NOTE 1)	EXTENT	VOLUME	FOLIO
24308	Whole	3107	425

#### MANAGEMENT BODY (NOTE 2)

City of Cockburn of PO Box 1215, Bibra Lake DC WA 6965

#### CONDITIONS (NOTE 3)

(i) To be utilised for the designated purpose of "Recreation and Camping" only,  
(ii) Power to lease (or sub-lease or licence) for the designated purpose is granted for the whole or any portion thereof for a term of twenty one (21) years subject to the approval in writing of the Minister for Lands being first obtained to each and every lease or assignment of lease, pursuant also to the provisions of section 18 of the Land Administration Act 1997.

THE MINISTER FOR LANDS (IN THE NAME OF AND ON BEHALF OF THE STATE OF WESTERN AUSTRALIA) ORDERS THAT THE CARE, CONTROL AND MANAGEMENT OF THE ABOVE RESERVE BE PLACED WITH THE MANAGEMENT BODY DESCRIBED ABOVE FOR THE PURPOSE FOR WHICH THE LAND COMPRISING THE RESERVE IS RESERVED UNDER SECTION 41 OF THE LAND ADMINISTRATION ACT 1997, AND FOR PURPOSES ANCILLARY OR BENEFICIAL TO THAT PURPOSE TO THE CONDITIONS ABOVE

Dated this 1<sup>st</sup> day of May in the year 2009

#### ATTESTATION (NOTE 4)

  
SENIOR STATE LAND OFFICER  
STATE LANDS - METROPOLITAN  
STATE LAND SERVICES



REGISTER NUMBER <b>373/DP219595</b>	
DUPLICATE EDITION <b>N/A</b>	DATE DUPLICATE ISSUED <b>N/A</b>

WESTERN AUSTRALIA

**RECORD OF QUALIFIED CERTIFICATE  
OF  
CROWN LAND TITLE**

VOLUME **LR3107** FOLIO **425**

UNDER THE TRANSFER OF LAND ACT 1893  
AND THE LAND ADMINISTRATION ACT 1997

**NO DUPLICATE CREATED**

The undermentioned land is Crown land in the name of the STATE of WESTERN AUSTRALIA, subject to the interests and Status Orders shown in the first schedule which are in turn subject to the limitations, interests, encumbrances and notifications shown in the second schedule.

*E. Roberts*  
REGISTRAR OF TITLES

**LAND DESCRIPTION:**

LOT 373 ON DEPOSITED PLAN 219595

**STATUS ORDER AND PRIMARY INTEREST HOLDER:  
(FIRST SCHEDULE)**

STATUS ORDER/INTEREST: RESERVE UNDER MANAGEMENT ORDER

PRIMARY INTEREST HOLDER: CITY OF COCKBURN OF PO BOX 1215, BIBRA LAKE DC  
(XE K927155 ) REGISTERED 1 MAY 2009

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:  
(SECOND SCHEDULE)**

- 1. H657388 CLASS A RESERVE 24308 FOR THE PURPOSE OF RECREATION AND CAMPING REGISTERED 31.1.2001.
- K927155 MANAGEMENT ORDER. CONTAINS CONDITIONS TO BE OBSERVED. WITH POWER TO LEASE FOR ANY TERM NOT EXCEEDING 21 YEARS, SUBJECT TO THE CONSENT OF THE MINISTER FOR LANDS. REGISTERED 1.5.2009.

- Warning: (1) A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
Lot as described in the land description may be a lot or location.
- (2) The land and interests etc. shown hereon may be affected by interests etc. that can be, but are not, shown on the register.
- (3) The interests etc. shown hereon may have a different priority than shown.

-----END OF CERTIFICATE OF CROWN LAND TITLE-----

**STATEMENTS:**

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP219595 [SHEET 1].  
PREVIOUS TITLE: This Title.  
PROPERTY STREET ADDRESS: 1136 COCKBURN RD, HENDERSON.  
LOCAL GOVERNMENT AREA: CITY OF COCKBURN.

END OF PAGE 1 - CONTINUED OVER

ORIGINAL CERTIFICATE OF CROWN LAND TITLE  
QUALIFIED

REGISTER NUMBER: 373/DP219595

VOLUME/FOLIO: LR3107-425

PAGE 2

- NOTE 1: A000001A LAND PARCEL IDENTIFIER OF KWINANA TOWN LOT/LOT 373 ON SUPERSEDED  
PAPER CERTIFICATE OF CROWN LAND TITLE CHANGED TO LOT 373 ON  
DEPOSITED PLAN 219595 ON 03-SEP-02 TO ENABLE ISSUE OF A DIGITAL  
CERTIFICATE OF TITLE.
- NOTE 2:  
THE ABOVE NOTE MAY NOT BE SHOWN ON THE SUPERSEDED PAPER  
CERTIFICATE OF TITLE.
- NOTE 3: K927154 CORRESPONDENCE FILE 03495-1990-03RO



## ATTACHMENT 2 – PHOTOGRAPHS OF CURRENT SHACKS

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## ATTACHMENT 3 – EXAMPLES OF POTENTIAL NEW SHACK DESIGNS







## ATTACHMENT 4: LETTER FROM DEPARTMENT OF MINES



Government of Western Australia  
Department of Mines and Petroleum  
Resources Safety



Your ref: 1914  
Our ref: RSD0494/2007/3  
Enquiries: Philip Hine - Ph 93588161 Fax 93588188  
Email: philip.hine@dmp.wa.gov.au

Mr Andrew Trosic  
Manager Strategic Planning  
City of Cockburn  
PO Box 1215  
BIBRA LAKE DC WA 6965

CITY OF COCKBURN RECEIVED	
30 APR 2010	
FILE NO. 3412066	COPY
ORIGINAL A.T.R.O.	
COPY	FILE PLEASE

Dear Andrew

### ADVICE REGARDING RESERVE 24308 AND POTENTIAL INDUSTRIAL RISK ISSUES

Thank you for your letter of 28 April 2020 regarding the above.

As requested I provide the following responses to your questions:

1. In relation to public risk from industrial facilities, the existing land use of Reserve 24308 is primarily protected under the *Dangerous Goods Safety Act 2004* either via the *Dangerous Goods Safety (Storage and Handling of Non-Explosives) Regulations 2007*, or where a major hazard facility is concerned, via the *Dangerous Goods Safety (Major Hazard Facilities) Regulations 2007*. Specifically, any industrial facility near the Reserve that is regulated under either of these regulations is obliged to minimise the risk to people, property and the environment to a level as low as is reasonable practicable.

Additional protection may be provided via Ministerial conditions imposed by the Minister for the Environment, or via environmental licence conditions imposed by the Department of Environment and Conservation, both under the *Environmental Protection Act 1996*.

2. The Kwinana Alumina Refinery is a dangerous goods site regulated under the *Dangerous Goods Safety (Storage and Handling of Non-Explosives) Regulations 2007*. The refinery is not a major hazard facility and its operations do not pose a credible risk to occupants, other users or property at Reserve 24308. As such, the refinery does not, and will not adversely influence the continuation of either the current or any other compatible land use at the Reserve.

Level 1, 303 Sevenoaks Street (cnr Grose Ave) Cannington WA 6107  
Postal address: Mineral House, 100 Plain Street, East Perth WA 6004  
Telephone: (08) 9358 8002 Facsimile: (08) 9358 8000 ResourcesSafety@dmp.wa.gov.au  
www.dmp.wa.gov.au  
wa.gov.au

Should you have any further questions in relation to this matter please do not hesitate to call.

Yours sincerely



Philip Hine  
Director  
**DANGEROUS GOODS SAFETY BRANCH**

28 April 2010



